IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Civil Application No.3447 of 2007
In
Misc. Civil Application (Restoration) Stamp No.5032 of 2007
In
Rejected Second Appeal No.169 of 2007

(Smt. Meerabai M. Thakre v. Fatthuji Mhaske (Dead), through LRs. Smt. Chandrabhagabai Wd/o Fatthuji Mhaske and others)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	:	Court's or Judge's orders

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Shri A.A. Sambaray, Advocate for Applicant.

CORAM : R.C. Chavan, J.
DATE : 3rd December, 2007

Civil Application No.3447 of 2007 :

1. This is an application for condonation of delay of about 34 days in seeking restoration of Second Appeal No.169 of 2007, which was rejected without issuing notices to the respondents, for failure to comply with the office objection relating to court-fee.

2. Since the notices had not been issued to the respondents, fresh notices of this application are not necessary.

3. The delay is condoned for the reasons in the application.

4. The civil application is disposed of.

Misc. Civil Application (Restoration) No.5032 of 2007:

1. This is an application for restoration of Second Appeal No. 169 of 2007, which was rejected for failure to comply with the office objection relating to court-fee.

2. The learned Advocate for the applicant states that the respondents have not at all been served with the notices of the second appeal and he is ready to remove the office objection within three days.

3. In view of this, the Misc. Civil Application for restoration of the Second Appeal is allowed and the Second Appeal is restored to file.

JUDGE

pdl